Resilient Families:

aanmannan.

Helping Grandparents and Kin Raise Children in New Mexico

2/172





The Los Alamos National Laboratory (LANL) Foundation's mission is to support public education, learning, and community development in a region that includes 18 tribal nations and seven counties: Los Alamos, Mora, Rio Arriba, San Miguel, Sandoval, Santa Fe, and Taos. LANL Foundation is committed to the improvement of learning opportunities and support structures that foster whole child development and community thriving.

AUTHORS

Catherine Dry, Independent Consultant Kersti Tyson, PhD, Director of Research and Evaluation

We would like to thank the following reviewers for their critical and comprehensive feedback on the drafts that led to this final report: Jess Acosta, Jovanna Archuleta, Anna Marie Garcia, Jenny Parks, and Maddy Mahony.

> If you have questions or comments please contact: kersti@lanlfoundation.org

I. More children are being raised by grandparents and kin in New Mexico today than in 2017

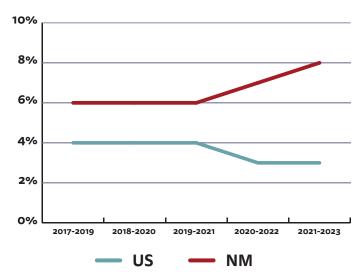
Grandparents and kin play an increasingly important role in raising children in New Mexico. From 2017 to 2023, the number of children in kinship care (where grandparents or kin raise children) rose from 30,000 to 36,000, an increase of 20 percent. Since many families in New Mexico rely on informal arrangements, the approximate 8 percent of children in kinship families is likely an underestimate. By some census estimates, as many as 55 children are being informally raised by kin for every one child we know is being raised by kin through the state's foster care program.

While grandparents and kin often play a pivotal role in raising children, offering cultural and linguistic connection, a sense of extended love, community, and support, many kinship caregivers are unexpectedly raising children due to difficult circumstances. These caregivers are often unprepared emotionally, mentally, physically, financially or logistically to take on these new responsibilities. Sometimes referred to as "shadow foster care," kinship families provide crucial safety and care for

children during traumatic times. Across the state – and globe - grandparents provide much needed stability and improved outcomes for children who are placed in their care. At the same time, as they take on the role of "parent," they give up the role of being just a grandparent, are often isolated, and find themselves navigating challenges they had not anticipated.

In New Mexico, parental alcohol and drug misuse are root causes of why children reside with grandparents and kin. Substance misuse disorders are highly prevalent in New Mexico and as a result kinship care is not uncommon. The situation is more acute in New Mexico than elsewhere. Between 2021 and 2023, the state had the highest rate of children in kinship care in the nation (eight percent), more than double the national average (three percent), and the rate has been increasing statewide while the nation experienced a slight decline. Grandparents and kin play important roles in helping to improve outcomes for some of New Mexico's most vulnerable children. Supporting their success is a vital necessity for New Mexico.

Since 2020, kinship care in New Mexico increased while it decreased nationally.



Source: Analysis of data from the U.S. Census Bureau, Current Population Survey, Annual Social and Economic Supplement

"I am a single, 49-year-old divorced grandmother raising my grands, ages 5 and 7, with zero parental support. I am... suffering alone, in silence, and I am but one of many others, with situations nearly mirroring mine."

- A grandparent raising her grandchildren

II. Understanding the Needs of Grandparents and Kin

While becoming a caregiver to a child later in life can be an enriching experience, it can also come with challenges and sacrifices. Grandparents, kin, and the children they care for often require layers of support to thrive.

Families need legal assistance to help navigate interaction with the courts and, in some cases, to obtain legal parental rights and responsibilities. The rise in legal kinship guardianship arrangements indicates the growing prevalence of kinship families as well as a broad need for more legal assistance.

The costs of raising children on a fixed income are high and **kinship families are often low-income**. In 2021, nearly one in three grandparents in New Mexico (or 32 percent) who were responsible for their own grandchildren were living at or below the poverty level, a rate almost twice the national rate of 18 percent.

Children and kinship caregivers often struggle to navigate the trauma, grief, anger, and guilt associated with their circumstances. At the same time, supporting caregivers' wellness and mental health is critical in order to ensure that the children in their care thrive and have positive outcomes. Accessible and available behavioral healthcare and respite care are needed.

For families with young children, **child care is crucial** but often too costly. Child care assistance from the state requires eligibility that grandparents do not always meet.



Lastly, the state offers many public benefits, including cash, food, and healthcare assistance. **Navigating various program eligibility and enrollment requirements is complex.** Completing necessary paperwork can be a struggle. Grandparents and kin benefit when they are helped through these processes and the supports are coordinated.

"My day consist[s] of jumping out of bed, starting breakfast, getting kids up and dressed. Kids are then fed, hair and teeth brushed. Jump in the car, drop one at school at 8 and the twins at 9. Hurry home, start laundry and wash dishes and pick up. At 1:30 pm return to school to pick up the 5-yearolds. Get home, make lunch and do any required school work and more household chores. At 3:30 pick up 7-year-old, fix snacks, do homework, start dinner. A short bit of playtime then dinner and dishes. Then it is bath, and bedtime... By the way I am 70 and a disabled vet, and a widow."

- A grandparent raising grandchildren

III. Recommendations for How to Better Support Kinship Families

This report presents recommendations for ways to better support grandparents and kin raising grandchildren in ways that nurture well-being and development. First, the state, service providers, private foundations, and other stakeholders should consider improving outreach and engagement with kinship families. Second, specific services for kinship families should be increased.

1. Recommendations to improve outreach and engagement with kinship families

- The state should consider moving the kinship navigator program to the Aging and Long-Term Services Department (ALTSD) or the Human Services Department (HSD) from the Children, Youth and Families Department (CYFD).
- The Legislature should increase appropriations to increase access to kinship navigator programs.
- Case workers within the Income Support Division of HSD should consistently receive training on the eligibility of grandchildren and grandparents and kin for benefits.
- The state should ensure grandparents, kin, parents, and the organizations that serve them are part of discussions on how to allocate the opioid settlement funds in systematic ways that address root causes and prevention and improve individuals, families, and community outcomes.

2. Recommendations to increase services for grandparents and kin

- HSD should increase the income eligibility threshold for the Temporary Assistance for Needy Families program from 165 percent of the federal poverty level to 200 percent.
- The Early Childhood Education and Care Department (ECECD) should waive the activity requirement for grandparents and kin applying for child care assistance and use the "at-risk" category for grandparents and kin to allow for easy enrollment.
- The Legislature should appropriate funds to provide monthly stipends to grandparents and kin who are not foster families but are the primary caregivers for their grandchildren, similar to the stipend received by foster families.
- The Legislature should increase appropriations for legal assistance for grandparents and kin.
- Healthcare providers, schools, non-profit organizations and other stakeholders should provide trauma-informed, culturally-responsive counseling and ensure children, parents, grandparents, and kin have access to mental health support.

Kinship care is the full-time care, nurturing, and protection of children by relatives, members of their tribes or clans, godparents, stepparents, or any adult who has a kinship bond with a child. A steady history of legislative efforts aimed at understanding and addressing the needs of grandparents and kin raising children in New Mexico points to the long-term prevalence of the issue and the state's commitment to support this community. At the same time, the need has grown and the state must act with urgency to meet kinship caregivers' needs and strengthen outcomes for children and families. The LANL Foundation and other private philanthropies have supported grandparents and kin raising children by identifying needs and coordinating information and services in a culturally-responsive

manner. But private foundation funding is limited and cannot meet the enormous statewide need for behavioral health services, child care, education supports, technology, legal aid, stipends, and more. This often overlooked, vital, and growing segment of the New Mexico population requires increased state and federal resources to ensure equitable access to needed services. **With coordinated support, stability, and love, resilient children and families will thrive and break cycles of adversity.**

"Grandparents and relatives are amazingly resilient and strong members of our community, they are often overlooked, but from my years of experience in social work, this is THE group that can help transform child permanency [in stable homes] in our communities."

- Social worker working with grandparents



Methodology

To collect information for this report, a mixed methods research design was used, combining both quantitative and qualitative tools.

To determine the current situation for grandparents and kin raising children in New Mexico, quantitative data was analyzed to describe the socio-economic characteristics of grandparents and kin raising children over time, as well as qualitative data to describe the lived experiences of this group. Longitudinal descriptive statistics collected from state and national data sources tell a story in numbers about this population and allow comparison to statewide and national averages. Data sources included the United States Census Bureau, the American Community Survey, the Annie E. Casey Foundation, the First Judicial Court of New Mexico, service data from non-profit organizations, LANL Foundation survey data, and reports from the New Mexico Early Childhood Education and Care Department, Human Services Department, Department of Health, and New Mexico Legislative Finance Committee.

Through interviews and surveys, qualitative information was collected from individuals as well as organizations and agencies that support them. Members of the Grandparents/Kin Raising Children Advisory Council, a group started by the LANL Foundation in 2021, were consulted. A review of state and federal legislative milestones was conducted. To inform how to best support grandparents/kin who are raising children, a literature review of research-based best practice programs, services, and policies was conducted.

Kinship care in New Mexico - the numbers, causes, and impact

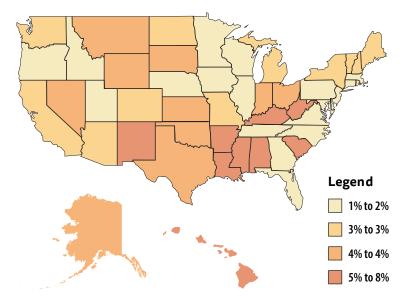
Grandparents and other kin in New Mexico play an increasingly crucial role in caring for and raising children who would otherwise be placed in the foster care system. By some estimates, for every child raised by kin in foster care in New Mexico, there are 55 children raised by kin outside of foster care.¹ Research suggests that when parents are unable to care for their children, keeping children² with families leads to more stability and better outcomes for children. When they are able, grandparents and other kin can play a critical role in providing a safe, stable home, a sense of belonging, and cultural connections, among other benefits, for the children in their care. Being raised by grandparents or kin is often an important component of many cultures, including Native American and Hispanic communities in New Mexico. However, the unexpected circumstances that often precipitate kinship care living arrangements mean that grandparents and kin may not be financially and emotionally prepared for the responsibility.

More children are being raised by grandparents and kin in New Mexico today than in 2017

Between 2021 and 2023, an approximate 36,000 children in New Mexico (or eight percent of all children statewide) were cared for full time by kin with no parent present.³ Kin include grandparents, blood relatives, godparents or other close family friends. Since many families rely on informal arrangements that cannot be tracked, this number is likely an underestimate.

Kinship family arrangements are not unique to New Mexico. Nationally, more than 2.6 million children are being raised by their grandparents or other kin, either formally through the child welfare system or informally through private family

Children Living in Kinship Care (percent) 2021-2023



Source: The Annie E. Casey Foundation from datacenter.aecf.org

arrangements. However, between 2021 and 2023, New Mexico had the highest percentage of children in kinship care (8 percent) of any state and more than double the national average of three percent.⁴ Additionally, from 2017 to 2023 the number of children in kinship care in New Mexico increased from an estimated 30,000 to an estimated 36,000 while nationally these numbers slightly declined. A federal push, driven in part by the Families First Preservation Act of 2018 that encourages state child welfare systems to keep children with families or kin, may be contributing to this increase in kinship care in New Mexico but there are also other underlying factors contributing to this trend.

"The drug issue has got me so frustrated. My grandchildren deserve parents, but they have no choice in the situation. This isn't easy, but I am glad I can be there for them."

– Grandparent/kin in Northern New Mexico.

New Mexico Counties with the Highest Counts of Overdose Deaths 2021

456
81
57
47
45

Source: New Mexico Legislative Finance Committee analysis of DOH data

Substance misuse disorders are a leading reason why children are placed in kinship care

While many circumstances can result in children being raised in kinship families, parental substance misuse disorders are a leading cause. The United States is experiencing an epidemic of substance misuse. Nationally, as reported by the Kaiser Family Foundation, two-thirds of the public report they or someone in their family has been addicted to drugs or alcohol.⁶ The problem is particularly acute in New Mexico. An analysis by New Mexico's Department of Health estimated that roughly 200,000 New Mexicans struggle with substance misuse disorders or approximately 16 percent of the adult, non-senior population.⁷ In New

Mexico, drug and alcohol-related death rates have remained consistently higher than national averages for at least two decades, and experienced a sharp increase following the Covid-19 pandemic.⁸ In 2021, New Mexico ranked first in the nation for alcohol-related deaths and sixth for drug overdose deaths.⁹ Bernalillo, Santa Fe, Sandoval, Doña Ana, and Rio Arriba counties had the highest overdose deaths in New Mexico in 2021.¹⁰ As was documented in a March 2023 *Los Angeles Times* article, fentanyl addiction and homelessness have ravaged communities in our region.¹¹ The exacerbating impact of the Covid-19 pandemic on top of the opioid epidemic, fentanyl addiction, generational poverty, and trauma create tragic consequences for too many families. The rise in kinship families is likely a consequence.

Children, grandparents and kin in kinship families have often experienced trauma and require special support

Being removed from one's parents' care, and the circumstances leading to this shift, undoubtedly produces trauma in children, producing feelings of fear, uncertainty, anger, and abandonment. Children in these circumstances may experience domestic violence, parental abandonment through separation or divorce, a parent with a mental health condition, having a member of the household in prison, or growing up in a household in which there are adults experiencing alcohol and drug use problems, all of which are "adverse childhood experiences" or ACEs.¹² Scientific studies demonstrate that people who experience a higher number of ACEs may have poorer health and "It's hard to start over. Buying pampers, clothes, shoes, bottles, everything [the] baby needs. [I have] no job because of COVID... [it] makes things harder."

– Grandparent/kin in Northern New Mexico.

education outcomes later in life, including increased risk of substance misuse disorder, heart problems, suspensions or expulsions, and more. However, when children and families have access to behavioral healthcare, trauma-informed care, and other needed supports, their ACEs can be mitigated, and outcomes improved. Because of the prevalence of kinship care and ACEs in our state, kinship families need focused and sustained support to address their trauma and grief, promote stable family situations, and ensure children thrive.

World-wide it is becoming increasingly recognized that grandparents and kin can provide much needed stability for children in unstable situations. The more stable grandparents and kin are, including attending to their own well-being and receiving the social, educational, and financial support they need, the better outcomes children have. International Research affirms that children in kinship care experience fewer behavioral problems and mental health disorders as well as improved well-being compared with children placed in foster care.¹³ In addition, kinship care can help families stay together by enabling placement with siblings and help children maintain birth family relationships, factors that can help a child to heal and increase well-being.¹⁴

New Mexico needs a more comprehensive and coordinated response to support grandparents and kin raising children.

A steady history of legislative efforts aimed at understanding and addressing the needs of grandparents and kin raising children in New Mexico points to the long-term prevalence of the issue and the state's efforts to address these needs. Since at least 2014, the New Mexico Legislature has passed memorials to convene task forces charged with compiling recommendations. Proposed legislation supported specific projects, such as monthly stipends for grandparents raising grandchildren or efforts to create a statewide network of services. These efforts often failed to pass. The annual General Appropriations Act, however, does include funding for some programs supporting grandparents raising grandchildren. For example, in 2023 the New Mexico Legislature appropriated nearly \$707,000 to the Children Youth and Families Department's (CYFD) Protective Services Division to support kinship caregiver coaching, training, and support. Also in 2023, the Aging and Long-Term Services Department (ALTSD) aimed to distribute

Memorial passed to study availability of resources to grandparents to be completed by the Children Youth and Families Department (CYFD).

2014

- Legislation fails to pass in support of the Kinship Caregiver Payment Project with an associated \$3 million appropriation.
- Additional proposed but failed legislation directing CYFD to collaborate with the Tax and Revenue Department and the Human Services Department to provide outreach and education for kinship caregivers on the availability of public assistance and tax relief.
- Task force extended to study grandparents and kin raising children.

2016

2015

Memorial passed to convene a statewide taskforce to study and recommend policy changes to expand the resources and assistance for grandparents/kin raising children. Taskforce extended to study and recommend policy changes to expand the availability of resources and assistance for grandparents raising grandchildren

2017

approximately \$248,000 to non-profit organizations for legal services for grandparents seeking legal parental authority through kinship guardianship and other legal arrangements. CYFD received \$296,000 in 2023 for this purpose as well. Additionally, tax reform efforts help address the unique circumstances of grandparents and kin by reducing their tax burden. State and federal benefit programs are also used by grandparents and kin. While these efforts are helpful, the state has yet to appropriate funds to implement the comprehensive support grandparents, kin, and the children in their care need, particularly in light of the growing number of kinship families. The state needs to act with urgency and coordination to ensure grandparents and kin have equitable access to the services and resources they need to provide their grandchildren with a healthy, stable environment and trauma-informed care. A selective history of legislative action in New Mexico, as well as key federal legislative milestones, follows.

- Federal Supporting Grandparents Raising Grandchildren Act established an advisory council to provide information on federal resources, submit reports to Congress, address needs of Native Americans, and secure public input. Council existed for three years.
- To help keep children with families, the federal government passed the Families First Preservation Services Act to provide funding to states to support access to mental health services, substance use treatment, and parenting skills courses
- Memorial in New Mexico passed to recognize the contributions and accomplishments of grandparents raising grandchildren.

The Kiki Saavedra Senior Dignity Fund established to address high priority services for senior citizens and adults with disabilities. The Aging and Long-Term Services Department (ALTSD) identified five innovative projects that could be supported by the Fund, including efforts aimed at supporting grandparents raising grandchildren.

2018

2020

• Statewide task force submits recommendations for increasing resources and assistance to grandparents raising grandchildren.

2019

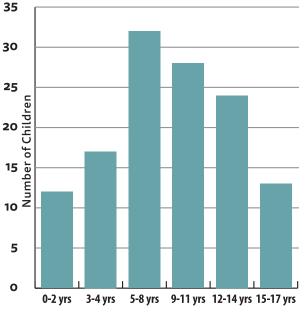
• Proposed but failed legislation sought to appropriate \$200,000 to create a statewide network of services and resources for grandparents raising grandchildren, including general support services, parent training, support groups, case management, social and enrichment activities for children. 2022

Legislature passes bill exempting individuals with less than \$100,000 in annual income and couples earning less than \$150,000 from state taxes on social security benefits. Many grandparents and kin raising grandchildren will likely be eligible.

KINSHIP CARE IN NEW MEXICO



Age of Children in Kinship Care Among Those Surveyed by LANL Foundation



Source: LANL Foundation survey 2021-2022

In Northern New Mexico, many grandparents and kin raising children are between 55 and 75 years old, have legal guardianship of elementary age children, and are not currently working.

In 2021-2022, the LANL Foundation surveyed grandparents and kin in Northern New Mexico raising grandchildren. The survey was sent to nearly 100 grandparents connected to programs in Rio Arriba County and 78 responded. The results describe basic demographic details about the families, as well as their needs, challenges and the kinds of services upon which they rely. While the survey sampled only grandparents or kin in Rio Arriba County (a small portion of all kinship families statewide), it presents the only available snapshot of this growing population of families. The data can therefore help inform the types of support offered by providers, policymakers, and other stakeholders.

Nearly half (48 percent) of children cared for by surveyed grandparents and kin were elementary school children between the ages of five and 11. But children in kinship care ranged in age from newborn to 17 years old. Additionally, nearly three quarters of respondents (73 percent) had been caring for the children for five years or more, indicating the long-term commitment made by many caregivers.

Given this length of time, it is not surprising that over half (58 percent) of respondents maintained a legal guardianship of the children and an additional one quarter of respondents (26 percent) had either legal custody or had adopted the children. Small portions of those surveyed had no legal relationship with the children in their care. The surveyed grandparents and kin were mostly between 55 and 64 years old (43 percent), followed by 65 and 74 years old (30 percent). The majority (70 percent) of respondents did not work: nearly 30 percent were retired, 23 percent were disabled and 17 percent were unemployed.

In open-ended questions, nearly half of respondents explicitly cited drug addiction as the reason for becoming the primary caregiver to their grandchildren or kin. Nearly all survey answers described difficult situations that caused their kinship arrangements such as abuse or neglect, parental death, or involvement by the Courts or the Children, Youth and Families Department (CYFD).

Understanding the Needs of Grandparents and Kin

While kinship families differ in many ways, the challenges they face are often quite similar. National literature as well as the LANL Foundation survey of families in Northern New Mexico point to a number of common needs across families.

- *Legal assistance:* Grandparents and kin often need legal assistance, including financing to support legal fees, to help understand if and how to assume legal parental rights and responsibilities. The state could provide more funding to local legal aid organizations to reduce wait times and increase access.
- *Financial supports:* Families face financial burdens when unexpectedly confronted with raising children on a fixed, and often low, income. Monthly stipends could help alleviate some of these burdens and provide increased stability for multigenerational families.
- *Mental healthcare*: Children, caregivers, and parents all need counseling and treatment services as well as access to support groups to help address the trauma they have experienced and to improve long-term outcomes for children who have experienced ACEs.
- *Child care:* For families with young children, child care is often prohibitively expensive but offers opportunities for respite. Reducing barriers to child care assistance could help more families more easily receive assistance and ensure children have access to educational supports that increase their well-being and educational outcomes.
- *Kinship navigators:* Lastly, state agencies offer multiple benefits, such as cash, food and healthcare, but navigating across multiple systems is complex and overwhelming. Kinship navigator programs provide information, referrals and a helping hand navigating the system of care.

These supports are not an exhaustive list of needs but represent the most common issues confronted by grandparents and kin raising children in New Mexico and are described in further detail below.

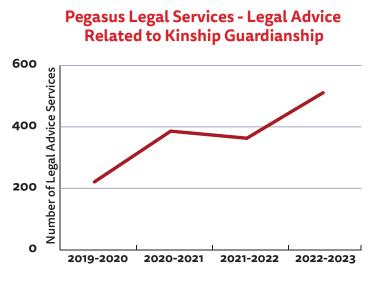
"[I am] looking for legal counsel to fight for my guardianship."

- Grandparent/kin in Northern New Mexico.

An increase in kinship guardianship arrangements in Northern New Mexico may indicate the need for more legal assistance for families, particularly for families with vulnerable drug-exposed babies.

Kinship guardianship is a legal arrangement where a child is placed in the care of a relative or a close family friend. The guardian assumes many of the rights and responsibilities of the parent, including providing a safe and stable home, education, and medical care. These are important rights that allow a grandparent, or kin, to take a child to a doctor's appointment, attend parent teacher conferences at school and access important benefits. Unlike adoption, parental rights are not terminated in a guardianship. Additionally, a parent can still visit the child. To establish a guardianship, a court conducts an investigation into the physical, mental, social, and financial conditions of the child, parents, and relatives.

In New Mexico, CYFD funds four non-profit organizations to provide free legal assistance to grandparents and kin. These organizations are New Mexico Legal Aid, Pegasus Legal Services for Children, Advocacy Inc., and DNA People's Legal Services. DNA People's Legal Services works with low-income Native American communities. Additionally, the Aging and Long-Term Services Department (ALTSD) also provides funding to organizations for legal representation of grandparents and kin raising grandchildren. Historically, ALTSD has not requested a specific line-item request in its budget for grandparents raising grandchildren but has ensured some level of funding.



Source: Pegasus Legal Services for Children

In the First Judicial District Court (covering Santa Fe, Rio Arriba and Los Alamos counties), kinship guardianship cases increased 68 percent from 2007 to 2022. The increase in cases indicates a need for more legal assistance for families to help stabilize children's situations.

Another indicator of the increased need for legal assistance is found in kinship guardianship case-loads. Pegasus Legal Services for Children has seen a significant increase in the need for full representation for kinship guardianship cases, growing an estimated 85 percent from approximately 130 cases in 2013 to 241 cases in 2022-2023. As of November 2023, the organization has an approximate seven-month waitlist but the wait can grow to 12 months at

different times of the year. As a way to address the growing need for services, the organization has also shifted to providing more legal advice, rather than full representation. This shift helps people to get more immediate support from attorneys to help identify needs and discuss the process of representing one's self. Legal advice provided through Pegasus for clients interested in kinship guardianship increased 131 percent from 2019-2020 to 2022-2023. Providing both legal advice and full representation allows Pegasus to serve more people and address the growing need for legal support for grandparents and kin. However, the fact that waitlists still exist is an indicator of unmet need.

In 2021, nearly one in three grandparents in New Mexico who were responsible for their own grandchildren were living at or below poverty level, a rate almost twice the national rate of 18 percent. Access to legal aid may be particularly important for grandparents or kin who are caring for babies exposed to drugs. According to an October 2023 program evaluation from the New Mexico Legislative Finance Committee, New Mexico has a higher than national average rate of children born exposed to drugs. The federal Comprehensive Addiction and Recovery Act requires hospitals to develop plans of care for these babies and families. These plans include referral to a variety of services, including home visiting, child care and mental health and substance misuse counseling, among other services. However, for those babies sent home with a designated caregiver (for instance, a grandparent or other kin), referral to legal services could be helpful but is not currently a

part of a plan of care. According to the Department of Health (DOH), an estimated 7.4 percent of plans of care included a designated caregiver, although DOH states this is likely an underestimate.

Monthly stipends could ease the financial burden of grandparents and kin raising children.

Grandparents and kin are often unexpectedly thrust into a situation of caring for children, usually without financial resources to fall back upon. A federal 2021 report to Congress on grandparents raising grandchildren cited financial challenges as among the most prevalent barriers faced by grandparents and kin.15 A grandmother interviewed for the report said, "People lose their houses because we can't afford the cost of a child and "As a foster parent, you receive a check from CYFD to help pay for expenses. When grandparents or kin take the kids, there are no checks but the expenses are still the same."

> – Former foster care parent in New Mexico

no one seems to care that we'll risk losing everything just to keep them safe...We need support to be able to care for them. We can no longer wait!!! Our kids need the help now." In the 2021-2022 survey of grandparents and kin in Northern New Mexico conducted by the LANL Foundation, 60 percent of respondents said they face financial difficulties in raising their grandchild. In 2021, nearly one in three grandparents in New Mexico who were responsible for their own grandchildren were living at or below poverty level, a rate almost twice the national rate of 18 percent.¹⁶

Yet state child welfare systems, including New Mexico's, are not designed to help families whose children are not part of the system. Foster families often are connected with parenting classes, support groups,

Providing a monthly stipend to grandparents and kin raising grandchildren equal to that offered to foster families might cost an estimated \$6,000 per year per family, a cost far less than the estimated \$21,000 for a single foster care placement. social supports and also receive financial assistance. Foster families in New Mexico can receive a monthly stipend of between \$585.48 and \$711.45, depending on the age of the child in their care. For children with specialized health needs, monthly payments can increase up to \$839.70. Many of these foster families have a family or kinship relationship to the children. However, grandparents and kin whose grandchildren are outside of the system (i.e., never entered foster care) are not eligible for monthly stipends. Families may prefer not to be part of the foster care system for different reasons, including stigma and fear. However, they are then not qualified for these payments. A 2018 Generation United report on the impacts of the opioid epidemic on grand families recommended that states ensure grand families not licensed as foster care families can access financial assistance to meet children's needs.¹⁷ In addition, grandparents and kin need consistent access to the comprehensive support that foster families often receive.

According to a 2022 Legislative Finance Committee evaluation of child maltreatment in New Mexico, a single foster care placement costs around \$21,000 per year. Providing a monthly stipend to grandparents and kin raising grandchildren equal to that offered to foster families might cost an estimated \$6,000 per year per family, a cost far less than that of a single foster care placement. Financial assistance, as well as better connections to other support services and culturally-responsive

Since 2021, the LANL Foundation has provided stipends to grandparents and kin raising children through a grant from the Delle Foundation. In 2021 and 2022, 100 families received a one-time payment of approximately \$300. In 2023, 130 families received \$250. **Stipends are for grandparents** or kin who have full custody of the child(ren) and reside in Rio Arriba County or one of the eight Northern Indian Pueblos. This stipend helped grandparents and kin pay for utilities, buy grandchildren shoes and coats, and pay for other essentials.

case management, would benefit grandparents and kin and help them feel better supported, similar to how foster families benefit from these resources.

In 2016, legislation was introduced but failed to pass in New Mexico to offer monthly payments to grandparents and kin whose children were not in state custody. Some opponents voiced concern that the stipends would violate the New Mexico Constitution's Anti-Donation clause that prohibits the state from making direct grants of aid to individuals. However, there are exceptions to this clause that could potentially be applied to grandparents and kin. An income qualifier for participation in the program could potentially help establish that the exception to the clause for "the care and maintenance of sick and indigent persons" has been met. An education program within the Human Services Department has done something similar. The New Mexico Education Works program provides up to 24 months of cash assistance for needy families so that they may participate in higher education and obtain a degree. In 2021, eligibility for this program was based on eligibility in the Temporary Assistance for Needy Families program, which offers benefits to families with an income of 165 percent of the federal poverty level. In fiscal year 2021, \$845,500 was appropriated to serve the Education Works program. This amount served up to 150 recipients per month for an average monthly payment of \$470, just below the monthly stipend received by foster care families. New Mexico should consider establishing a similar stipend program for grandparents and kin raising children who are not part of the foster care system.

Counseling and respite services benefit parents, children, grandparents, and kin. While access to services is limited, funding opportunities are significant.

Trauma experienced by children who are no longer raised by their parents often increases risks for emotional, behavioral, and physical problems. Evidence-based counseling interventions can benefit these children as they confront potential feelings of abandonment, loneliness, anger, fear, frustration, and much else.¹⁸ Caregivers, whether grandparents grieving for their children or kin confronting a new and stressful circumstance, also require behavioral health support.¹⁹ Respite care also helps ease some of the burdens experienced by grandparents and kin as they raise children and seek to resolve their own grief and trauma.

Yet some research suggests that children placed in the care of grandparents or other kin are less likely to receive mental health services than children raised by non-kinship foster parents. Other research found that kinship caregivers were less likely to receive training, monitoring and social support than non-kinship foster caregivers.²⁰ The research shows that kinship caregivers benefit from these services but may be less aware of available services than non-kinship foster parents due to a lack of connection to services.²¹ Increasing awareness and access among kinship caregivers of mental health services, as well as parenting classes and other social support programs, should be a focus of state agencies and local service providers. Grandparents raising grandchildren support groups are one place where information about counseling and other services is shared, in addition to decreasing caregivers' isolation. The majority (58.3 percent) of respondents to the LANL Foundation survey said they are in need of a support group for grandparents and kin.

While trauma-informed and culturally-responsive mental health services are crucial to help support children, New Mexico's severely limited behavioral health care system significantly constrains access to care for many. A 2019 report from the U.S. Department of Health and Human Services' Office of the Inspector General found behavioral health provider shortages in every New Mexico County.²² Additionally, many providers do not offer services to Medicaid managed care enrollees.

Improving the behavioral healthcare provider shortage is a major challenge for New Mexico but not one that lacks resources. In addition to Medicaid, opioid settlement funds and Title IV-E prevention funding present significant opportunities to improve access to behavioral healthcare in New Mexico. However, without a coordinated effort that considers the unique treatment and prevention needs of parents and kinship families, New Mexico could underuse available funds or duplicate efforts.

Companies that made, distributed, or sold opioid painkillers are paying states and local governments across the country more than \$50 billion as restitution for decades of drug addiction and overdoses experienced by communities. The state of New Mexico is estimated to receive approximately \$300.4 million related to opioid settlements over the next 19 years and local governments will receive \$367.1 million.²³ According to the settlements, funds must be spent on treatment, recovery or prevention programs that address the broad impact of opioid use disorders on individuals, families, and communities. The behavioral health needs of grandparents and kin raising grandchildren fall into these categories.

In 2023, the New Mexico Legislature appropriated \$21 million to six state agencies and the University of New Mexico for services intended to address opioid substance use. These allocations will hopefully provide important services. However, to date there has been no advisory council established or other coordinating entity to ensure funds are spent strategically and without duplication. In an article

UNDERSTANDING THE NEEDS OF GRANDPARENTS AND KIN

published in July 2023, Johns Hopkins University and partners found 38 states and the District of Columbia have advisory councils involved in distributing opioid settlement funds. In some states, the council establishes priorities and makes recommendations while in other states councils have ultimate authority on spending.²⁴ New Mexico has no such council. Transparent, thoughtful, culturally-responsive and systematic coordination that includes parents, grandparents, kin, and those who serve them as well as representation from harder hit counties will be crucial to ensure needs are met and resources are well utilized. Resources are needed to address much needed prevention as well as to support individuals, families and communities to recover and heal.

To help keep children with families and reduce removals, the federal government passed the Families First Preservation Services Act (FFPSA), signed into law in 2018, to provide funding to states to support families' access to mental health services, substance use treatment and parenting skills courses. FFPSA requires states to use prevention services rated as promising, supported, or well-supported. New Mexico's CYFD submitted a five-year plan for this prevention funding (called Title IV-E) but the plan has not yet been approved. As of October 2023, 42 states, the District of Columbia, and four tribes (none of them from New Mexico) have HHS-approved IV-E prevention plans. New Mexico is one of four states (Delaware, Mississippi, New Jersey, and New Mexico) whose plan is under review. New Mexico's plan is not yet public and therefore total projected costs are unknown but federal funding is available for up to 50 percent of prevention services for grandparents, kin and children, it will be important to monitor the status of this approval and work with tribes in New Mexico to submit their own plans if possible.



Child care provides respite to families but requirements need to be adjusted to increase access by grandparents and kin.

Accessing affordable, high quality child care is a challenge for families across the country as well as in New Mexico. Grandparents and kin raising children are no exception. High quality care is costly, and presents a particular burden to families in New Mexico. While the federal Health and Human Services Department defines spending over seven percent of a family's income on child care as a burden, in New Mexico, families can spend up to 12 percent.²⁵ Subsidized child care is available in New Mexico for families earning up to 400 percent of the federal poverty level (\$99,000 for a family of three). Currently, ECECD has waived co-payments for all those that qualify, although this likely will not continue forever. Qualifying for child care assistance entails meeting not just the income threshold but also showing that the child's caregiver is either working or in school. Given that grandparents are likely no longer working or in school, this activity requirement may be difficult to meet for many grandparents and kin. The LANL Foundation survey of grandparents and kin found that 70 percent of survey respondents were not working. ECECD should consider waiving this activity requirement for all grandparents and kin raising

children. Or, potentially, using the 'at-risk' category for families that would automatically qualify families for child care, regardless of whether they are working or in school.

Increasing kinship caregivers' access to child care could improve outcomes for both the children in their care and caregivers. Child care also represents an opportunity for respite for grandparents and kin. A respondent to a federal request for input on the Supporting Grandparents Raising Grandchildren Act said, "We need time to ourselves. Once a week [..] even once a month for time for ourselves. Our friends tend to stay away because they raised their kids and are enjoying their time. We don't get that. There needs to be child care available."

Kinship navigator programs and other designated liaisons help grandparents and kin interact with a complicated system of support.

Multiple state agencies offer various services beneficial to grandparents and kin raising children. But identifying these services and navigating the systems of support is complex. Many services, like income support and child care, base eligibility on meeting certain income levels but income thresholds differ across benefits and caregivers often need layers of support. Grandparents and kin may not know what services are available and how to apply for multiple benefits. A 2011 report from the Government Accountability Office on kinship care utilization of Temporary Assistance for Needy Families (TANF) found only 5.7 percent of kinship families accessing TANF were also accessing child care assistance,

potentially indicating that families are unaware of all of the benefits for which they may be eligible.²⁶

There are at least six state agencies in New Mexico with which grandparents and kin might interact to access services: ALTSD, CYFD, Human Services Department, Department of Health, Early Childhood Care and Education Department, and the Public Education Department. Non-profit agencies also provide vital services to grandparents and kin. "It takes a village to provide care to these children and finding where to get services is hard."

> – Grandparent/kin raising a grandchild in Northern New Mexico

Navigating the supports available through HSD and PED can be both particularly difficult and incredibly beneficial. HSD's Income Support Division (ISD) offers programs that provide a range of benefits, including cash, food, medical, and energy assistance. The TANF program provides cash payments to help families pay for food, clothing, housing, utilities, and other basic needs. The current income eligibility threshold is set at 165 percent of the federal poverty level but staff at ISD are working on increasing the criteria to 200 percent. This does not require federal approval and would not only increase the number of people getting the TANF benefit but potentially could impact eligibility for other benefits as well. ISD should follow through on this promising change. Grandparents and kin could also benefit from support in completing the, at times, cumbersome paperwork that comes with accessing resources.

Enrolling in school and getting access to educational support is another critical issue for many kinship families. School enrollment often requires grandparents or kin show proof they are responsible for the children in their care and have the legal right to make decisions on their behalf. Additionally, children raised by grandparents or kin may require special education or behavioral support. Navigating these processes is challenging. All schools are required by the federal McKinney-Vento Homeless Assistance Act to provide assistance to homeless children through a designated liaison. Many children living with grandparents or kin are considered homeless by the Act's definition and would be eligible for support provided by these liaisons. However, grandparents or kin are often not even aware of these resources.

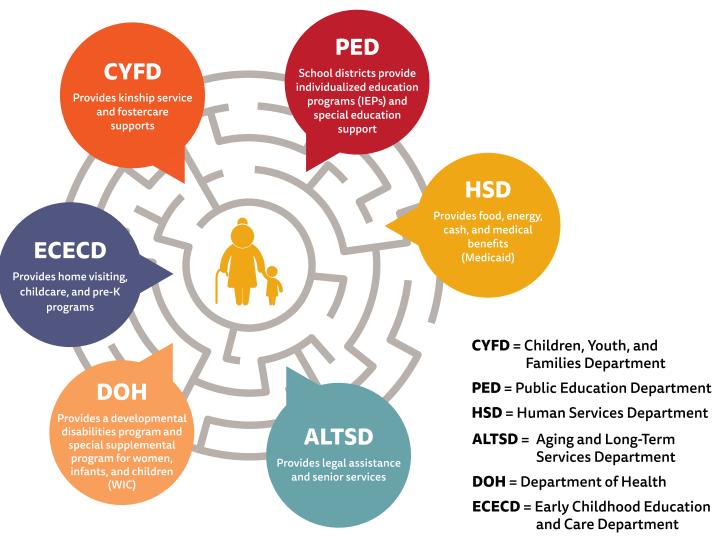
Kinship navigator programs can help support kinship families as they seek resources and develop a path towards success. Navigators help families identify what needs they have, build a case plan to meet those needs, assist in applying for benefits, make referrals and offer follow up support. The

UNDERSTANDING THE NEEDS OF GRANDPARENTS AND KIN

federal Administration for Children and Families provides funding for kinship navigator program services. In New Mexico, Southwest Family Guidance Center receives funding through CYFD to provide kinship navigator services in Santa Fe, Bernalillo, Doña Ana, Rio Arriba, Sandoval, and Valencia counties. Kinship navigator programs are relatively new and have not all been evaluated to prove their efficacy. The Prevention Services Clearinghouse at Administration for Children and Families includes information on kinship navigator program models that have been reviewed and rated. However, to date, it includes only three programs: The Ohio Kinship Supports Intervention/Protect Ohio, the Arizona Kinship Supports, and the Colorado Kinnected kinship navigator programs. New Mexico's program should be sure to include elements from these well-rated programs and also expand to more counties.

In addition to distributing the federal kinship navigator grant, CYFD also responds to questions and concerns from families and directs them to services. While individuals working at CYFD are well-intentioned and hard-working, the agency as a whole is often perceived with distrust by families, in large part due to work conducted at Child Protective Services including failing to respond to suspected abuse and neglect, false alarm cases, and a lack of transparency. In order to ensure the greatest level of engagement with families in kinship navigation, the state should consider moving the kinship navigator program from CYFD to ALTSD or HSD.

Navigating the Maze of Some State Programs for Grandparents and Kin







Recommendations for How to Better Support Kinship Families

With the right support, grandparents and kin provide children with much needed stability and help improve their outcomes and ability to thrive. This report proposes two broad categories for ways to support grandparents and kin raising grandchildren and specific recommendations within each category. First, providers, agencies, funders and other stakeholders can increase coordination, outreach, and engagement with kinship families in New Mexico. There are different ways to do this work, including expanding the kinship navigator program and potentially moving it to ALTSD or HSD from CYFD, and ensuring grandparents and kin are involved in discussions to disburse and access opioid settlement funds.

Second, services and benefits for kinship families should be increased. Specific recommendations include increased appropriations to service providers to ensure equitable access to support services for grandparents and kin, expanded income eligibility thresholds for TANF and waived requirements for child care assistance, to name a few.

These recommendations are in alignment with those of the Grandparents and Kin Advisory Council that has been coordinated by the LANL Foundation since 2021. In addition to sharing resources and organizing advocacy efforts, the Council updated a list of recommendations created by a statewide task force created in 2019 to identify needs of kinship families.

1. Recommendations to improve outreach and engagement with kinship families

- The state should consider moving the kinship navigator program to ALTSD or HSD from CYFD.
- The Legislature should increase appropriations to increase access to kinship navigator programs.
- Case workers within the Income Support Division of HSD should consistently receive training on the eligibility of grandchildren and grandparents and kin for benefits.
- The state should ensure grandparents, kin, parents, and the organizations that serve them are part of discussions on how to allocate the opioid settlement funds in systematic ways that address root causes and prevention and improve individuals, families, and community outcomes.

2. Recommendations to increase services for grandparents and kin

- HSD should increase the income eligibility threshold for the Temporary Assistance for Needy Families program from 165 percent of the federal poverty level to 200 percent.
- ECECD should waive the activity requirement for grandparents and kin applying for child care assistance and use the "at-risk" category for grandparents and kin to allow for easy enrollment.
- The Legislature should appropriate funds to provide monthly stipends to grandparents and kin who are not foster families but are the primary caregivers for their grandchildren, similar to the stipend received by foster families.
- The Legislature should increase appropriations for legal assistance for grandparents and kin.
- Healthcare providers, schools, non-profit organizations and other stakeholders should provide trauma-informed, culturally-responsive counseling and ensure children, parents, grandparents, and kin have access to mental health support.

Conclusion

Grandparents and kin provide stability and improve outcomes for some of New Mexico's most vulnerable children. This report presents some of the challenges faced by kinship families, examples of strength and resilience in our communities as well as recommendations for how to provide and coordinate additional support. The LANL Foundation, other private foundations, and community organizations have supported the community of grandparents and kin raising grandchildren by identifying needs and coordinating information and services in a culturally-responsive manner. But current efforts do not meet the enormous statewide need for behavioral health services, child care, education supports, technology, legal aid, stipends, and more. While the state has recognized some of the needs of grandparents and kin, more can be done to better support this often overlooked and growing segment of the New Mexico population. With coordinated support, stability, and love, resilient children and families thrive and break cycles of adversity.



- 1 Grandfacts: State Fact Sheets for GrandFamilies New Mexico, Grandfactsheets.org, 2021.
- 2 Beeman, S.K., Hyungmo, K., Bullerdick, S.K. Factors affecting placement of children in kinship and non-kinship foster care. Children and Youth Services Review, 22(1). 37-54.
- 3 The Annie E. Casey Foundation analysis of data from the U.S. Census Bureau, Current Population Survey, Annual Social and Economic Supplement. According to the Casey Foundation, the definition of children in kinship care refers to "situations in which children are cared for full time by blood relatives or other adults with whom they have a family-like relationship, such as godparents or close family friends. Using the relationship to householder items on the Current Population Survey Annual Social and Economic Supplement, children are identified in kinship care when a parent is not present in the household and the child is either related to at least one other person in the household (e.g., sibling, grandchild, niece/ nephew) or is listed as a nonrelative of the householder (e.g., a family friend).Children listed as housemates, roommates, or boarders are not categorized as children in kinship care. Children identified as a foster child are not categorized as children in kinship care because the familial or friendship relationship tie cannot be determined. The analysis excludes children living in group quarters (i.e., group placements) as well as children who are the householder or spouse of the householder."
- 4 Annie E. Casey Foundation Kids Count Data Center. 2019-2021. "Children in kinship care in the United States." Accessed March 2022. https://datacenter.kidscount.org/data/tables/10455-children-in-kinship-care?loc=1&loct=2#detailed/1/any/false/2097/any/20160,20161
- 5 Ibid.
- 6 Sparks, Grace; Montero, Alex; Kirzinger, Ashely; Vlades, Isabelle; Hamel, Liz. Kaiser Family Foundation Tracking Poll July 2023: Substance Use Crisis And Accessing Treatment. August 2023.
- 7 New Mexico Department of Health. "New Mexico Substance Use Disorder Treatment Gap Analysis," January 2020.
- 8 New Mexico Legislative Finance Committee, "Progress Report: Addressing Substance Use Disorders," August 2023.
- 9 Ibid.
- 10 Ibid.
- 11 Fleishman, Jeffrey, "Can this town save itself from fentanyl addiction? The race to turn around a threatened community. Los Angeles Times, 29 March 2023.
- 12 Centers for Disease Control and Prevention. Fast Facts: Preventing Adverse Childhood Experiences. https://www.cdc.gov/violenceprevention/aces/fastfact.html. Accessed January 8, 2023.
- 13 Winokur, M. A., Holtan, A., & Batchelder, K. E. (2018). Systematic review of kinship care effects on safety, permanency, and well-being outcomes. Research on Social Work Practice, 28(1), 19-32
- 14 Asif, N., Breen, C., & Wells, R. (2023). Influence of placement stability on developmental outcomes of children and young people in out-of-home care: Findings from the Pathways of Care Longitudinal Study. Child Abuse & Neglect, 106145.
- 15 Advisory Council to Support Grandparents Raising Grandchildren, Supporting Grandparents Raising Grandchildren (SGRG) Act, Initial Report to Congress, November, 2021.
- 16 U.S. Census Bureau (2021). Poverty status of the past 12 months of grandparents living with own grandchildren under 18 years by responsibility for own grandchildren, 2021 American Community Survey 1-year estimates.

- 17 Generations United, "Raising the Children of the Opioid Epidemic: Solutions and Support for Grandfamilies," 2018 update.
- 18 American Psychological Association, "Evidence-based practices for childhood grief and trauma." 1 October 2022, https://www.apa.org/monitor/2022/10/evidence-based-practices-grief#:~:text=Research%20 on%20the%20program%20found%20that%2015%20years,and%20Clinical%20Psychology%2C%20 Vol.%2086%2C%20N0.%2010%2C%202018%29.
- 19 Mendoza, Angela Nancy; Fruhauf, Christine A., "Grandparents Raising Grandchildren: Risk and Resilience Through Conflict." National Council on Family Relations, October 2015.
- 20 Rabassa, Judit; Fuentes-Peláez, Nuria, "Effectiveness of group intervention in improving kinship are families' outcomes: A systematic review of group interventions aimed at kinship caregivers and youth in kinship care." Children and Youth Services Review, Vol. 150, July 2023.
- 21 Jayme R. Swanke, Svetlana Yampolskaya, Anne Strozier, Mary I. Armstrong, "Mental health service utilization and time to care: A comparison of children in traditional foster care and children in kinship care, Children and Youth Services Review", Volume 68, 2016, pages 154-158,
- 22 Office of Inspector General, "Provider Shortages and Limited Availability of Behavioral Health Services in New Mexico's Medicaid Manager Care, " September, 2019.
- 23 Legislative Finance Committee, New Mexico, "Progress Report: Addressing Substance Use Disorders," August, 2023.
- Pattani, Aneri, "Meet the People Deciding How to Spend "\$50 Billion in Opioid Settlement Cash," KFF Health News, July 10, 2023. Accessed on November 7, 2023. Meet the People Deciding How to Spend \$50 Billion in Opioid Settlement Cash - KFF Health News
- 25 First Five Years Fund. (2021) Child Care and Early Education in New Mexico. https://www.ffyf.org/ wp-content/uploads/2023/09/FFYF_NewMexico_2023.pdf. Accessed January 8, 2023.
- 26 Government Accountability Office, "TANF and Child Welfare Programs: Increased Data Sharing Could Improve Access to Benefits and Services," October 2011.

LANL FOUNDATION

Española, NM 87532

418 Cerillos Road, Suite 15 Santa Fe, NM 87501

505.753.8890 LANLFOUNDATION.ORG

Cover photo: Jane Bernard